

PHLY-24,739



*See 805*  
PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffry Jovan Philyaw and David Kent Mathews

Serial No.: 09/382,423

Filed: August 24, 1999

For: Method and Apparatus for Utilizing an Audible Signal to Induce a User to Select an E-Commerce Function

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, DC 20231 on

*9/27/99*  
(Date of Deposit)

*Gregory M. Howison*  
(Name of Person Mailing Document)

*John Adams*  
(Signature)

*9/27/99*  
(Date of Signature)

Dear Sir:

**SUBMISSION OF MISSING PARTS OF APPLICATION  
UNDER 37 C.F.R. 1.53**

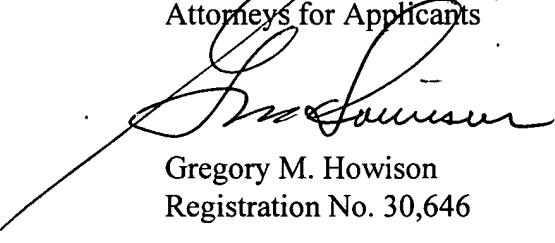
Enclosed are the following items for filing in the above-referenced U.S. Patent Application:

1. Declaration and Power of Attorney, executed by the Applicants on September 21, 1999.
2. Verified Statement claiming Small Entity Status, executed by the Applicant on September 21, 1999.
3. Check in the amount of \$485.00 to cover the filing fee (37 C.F.R. 1.16(a) et seq.) of \$380.00, the surcharge set forth in 37 C.F.R. 1.16(e) of \$65.00, and the Assignment recordal fee of \$40.00. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,739 of THOMPSON & HOWISON, L.L.P.
4. The original of the application that was executed.
5. Copy of Form PTO-1533 - Notice to File Missing Parts of Application.

6. Copy of the Assignment to DigitalConvergence.com Inc., executed on September 21, 1999.

Respectfully submitted,

THOMPSON & HOWISON, L.L.P.  
Attorneys for Applicants



Gregory M. Howison  
Registration No. 30,646

GMH/co  
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September 24, 1999



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER & TRADEMARK NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE
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09/382,423 08/24/99 PHIL YAW J PHLY-24-739

0242/0916

GREGORY M HOWISON  
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P O BOX 741715  
DALLAS TX 75374-1715

NOT ASSIGNED

2755

DATE MAILED:

09/16/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  small entity (statement filed)  non-small entity is \$ 890.00

1. The statutory basic filing fee is:

missing.  
 insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.  
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.27(f)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**